

FILED

SEP 30 2008


CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FRANK ALLMAN,

Plaintiff,

vs.

DEPARTMENT OF CORRECTIONS,

Defendant.

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CIV 08-4021

JUDGMENT

The Court having entered its Order dismissing Plaintiff's Complaint, it is hereby ORDERED, ADJUDGED and DECREED that Plaintiff's Complaint is dismissed, without prejudice, for failure to state a claim upon which relief can be granted pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1).

Dated this 30th day of September, 2008.

BY THE COURT:


Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: 
DEPUTY